



# Cochise County

Development Services  
Planning Division

Public Programs...Personal Service  
www.cochise.az.gov

## APPLICATION FOR A VARIANCE

Applicant's Name: David Huntley

Name of All Property Owner(s) David Huntley

Mailing Address:

202 E Tacoma St, Sierra Vista, AZ 85635

Street #                                      Town                                      State                                      Zip code

Subject Property Address (if different than mailing address):

same

Street #                                      Town                                      State                                      Zip code

Email Address: xlntguy@hotmail.com

Phone Number: 541 301 6777

Tax Parcel Number: 10671223

Current Zoning Designation: MH72

Area of Parcel (to the nearest tenth of an acre): 0.3 acre. approx 15,200 sq ft

Which provision(s) of the Zoning Regulations are you seeking a variance from? \_\_\_\_\_

Violation code: 1815.01 Keeping of livestock

**Variance** is defined in the Cochise County Zoning Regulations as a deviation from the terms of the Cochise County Zoning Regulations when, owing to peculiar conditions, a strict interpretation would work an unnecessary hardship, if in granting such Variance the general intent and purposes of the Zoning Regulations will be preserved.

The Zoning Regulations are generally intended to yield results that are in compliance with all other applicable laws. A request for a "reasonable accommodation" in these regulations, pursuant to any Federal or State housing law or other similar legislation, as may be necessary to afford an equal opportunity to housing under any such law, shall be considered to be an appropriate condition for a Variance from the strict application of these Zoning Regulations. The Board of

**Bisbee Office**  
1415 Melody Lane, Building F  
Bisbee, Arizona 85603  
520-432-9300  
520-432-9278 fax  
planningandzoning@cochise.az.gov

Adjustment is authorized to grant any such variance, to the extent that any such accommodation is required pursuant to any applicable State or Federal law.

It shall be the responsibility of the Applicant to submit any studies and/or data necessary to demonstrate the effectiveness of the alternative conditions. Any decision of the Board of Adjustment allowing a variance shall be considered for revocation by the Board of Adjustment if substantial construction, in accordance with the plans for which such Variance was granted, has not been initiated within 12-months of the date of approval, building permit issuance, or if judicial proceeding to review the Board of Adjustment's decision has been instituted, 12-months from the date of entry of the final order in such proceedings, including appeals. Additionally, if any of the conditions of the Variance approval are not complied with within 12-months or within the time period set by the Board, it shall be revoked after 30-calendar days' notice to the owner and Applicant, unless a request for a review hearing before the Board of Adjustment is made by the Applicant within this 30-calendar day appeal period. The Board of Adjustment may grant reasonable extensions to the time limits upon a hearing pursuant to a timely written request by the Applicant.

**Appeal procedures:** Any person aggrieved by a decision of the Board of Adjustment may at any time within 30-calendar days of such decision appeal to the Superior Court, and the matter shall be heard in like manner as appeals from courts of justices of the peace.

**To qualify for a variance,** the property must demonstrate that owing to peculiar conditions, a strict interpretation would work an unnecessary hardship and if in granting the variance the general intent and purposes of the zoning ordinance will be preserved.

**Required Submittals**

1. This application
2. A site plan - see our website for an example site plan: <https://www.cochise.az.gov/development-services/variance>
3. Processing Fee

Describe all **existing** structures/uses present on the subject parcel. Note: the size and location of existing structures must be shown on the accompanying site plan.

(1) single family home, 3 bed, 2 bath, used as the owners residence. (1) detached 3 car garage with extra storage space and (1) covered carport in front of the garage. The entire south side of the property, next to the only adjoining parcel, has a ~~66~~ 138 ft concrete block wall at a height of 8 ft, decending to 7 ft.

Describe all **proposed** structures/uses on the parcel that to be placed on the parcel. Note: the size and location of proposed structures must be shown on the accompanying site plan.

There are no proposed structures to be added to the property. 66 ft of fencing on the SW side was recently improved from 5 ft chain link, to 6 1/2 ft solid panels to obscure vision into the yard on the N 2nd st side.

What is the reason for this request (select one):



There is a special circumstance associated with my property - such as its size, shape, topography, location, or surroundings - that deprives the property of privileges enjoyed by other property of the same classification in the same zoning district.



I wish to appeal the interpretation of a zoning regulation, by the zoning administrator or other County official (please submit an "Appeal to the Board of Adjustment Application").

Describe how this request brings you to parity with property owners within your zoning district and does not provide an advantage or special privilege over and beyond what is provided to other lots in the same zoning designation.

I believe that parity exists with any other parcel that has the need for emotional support

animals and has the room to provide proper care. I do not define my pets as livestock. I do

not use them for any commercial purposes such as meat, milk or propagation. Also, I pledge

not to add any other disputed animals.

It is the responsibility of the applicant to submit any studies and/or data necessary to demonstrate the effectiveness of the alternative conditions. Generally, the variance, if granted, should be the minimum variance that will afford relief and it should provide the least possible modification of the zoning regulations provisions that are in question. State any potential impacts caused by the application of your variance and how you intend to minimize these impacts on neighboring properties.

I don't have any data, but it is generally excepted that emotional support animals (ESA) are

beneficial to people with emotional disorders such as PTSD. The minimum variance I request

is that I be allowed to keep my (3) goats for their lifetime (approx 9 years). Again, I pledge to

not add any other disputed animals and to not breed the existing 2 females. The male goat is

neutered.

4/10

State how the proposed variance is consistent with the general **intent and purpose** of the Zoning Regulations.

Large dogs are allowed in this zoning. My 3 goats are smaller than large dogs, make very little noise and their enclosure cannot be seen from the street or from the only adjoining parcel. Again, they are not being used for any commercial purposes, only as pets and emotional support animals. As with dogs, the goats are provided with a large yard, fresh food and water daily and a shelter from the elements.

Describe, in detail, the special circumstances that are associated with, and unique to, your property that do not allow it to develop in the same manner as other properties within the same zoning district.

The special circumstance I request is for myself, the owner. I am a disabled Army veteran, age 71, rated by the VA at 70% disability for PTSD (award letter enclosed). I acquired the 3 goats 5 1/2 years ago. I am emotionally attached to them as pets and they provide comfort and calm to help me deal with every day life outside my home/compound.

Thanks for supporting Veterans.

The undersigned hereby certifies that to the best of his/her knowledge and belief the data submitted on the attached application for a variance from the terms of the Cochise County Zoning Regulations are true and correct.

  
Applicant Signature

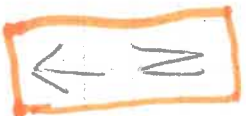
01/15/2021  
Date

Side plan 12/2020

E Tacoma St

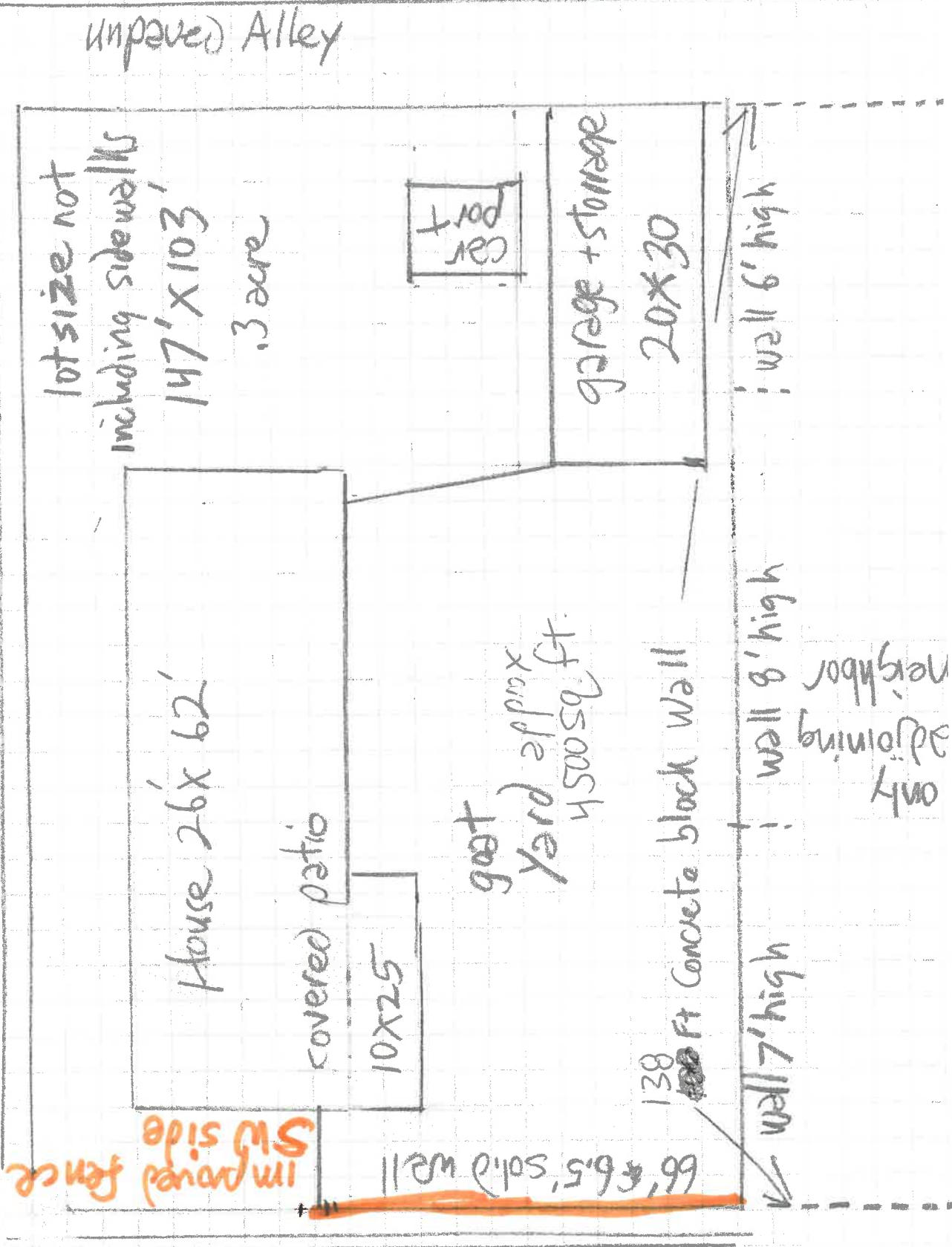
Site plan

202 E. Tacoma St  
Siems Vista, AZ 85635



N. 2nd St

8' set back from sidewalk to improved fence



APPLICABLE COCHISE COUNTY ZONING REGULATIONS

8/10

**Violation Code:** 1815.01 Keeping of Livestock

**Description:** The site contains not less than 36,000-square feet of area. The temporary care and feeding of two or fewer animals for 4-H or similar projects shall be exempt from this requirement.

**Corrective Action:**

- Remove all livestock in a legal manner

**Comments:**

**Follow Up Date:** November 19, 2020

SW portion of fencing before improvement by adding 6 wood panels 8' long, 6 1/2' high.

**Additional Comments:**

**Violation Photos:**

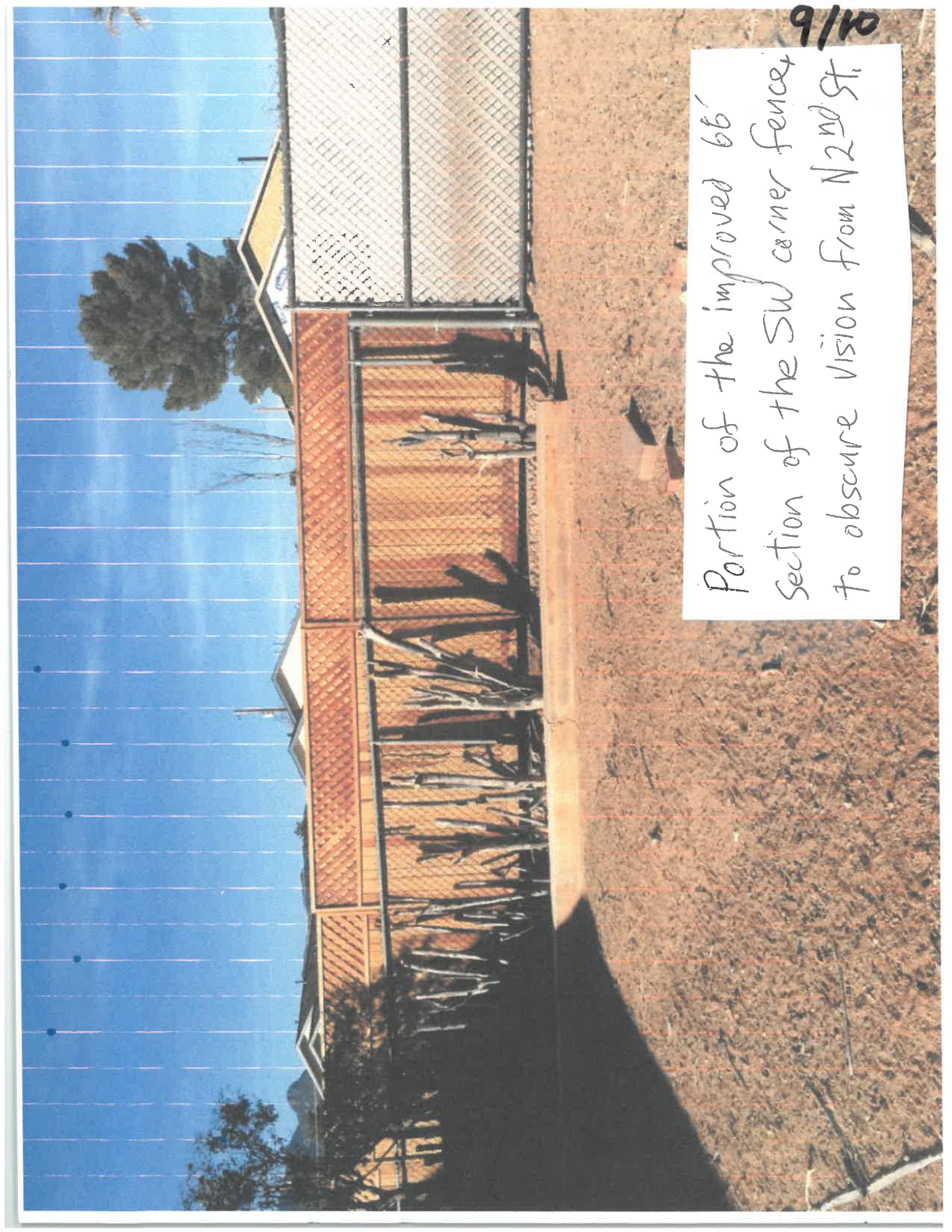


**Description:** inspection photo 10-28-20

**Date Taken:** Oct 28, 2020

**Violation:**

9/10  
Portion of the improved 66'  
section of the SW corner fence  
to obscure vision from N2nd St.



10/10  
Portion of 138' concrete block wall on  
the South property line which isolates the  
pet yard from the only adjoining neighbor.